

TO AMEND THE YUMA CROSSING NATIONAL HERITAGE
AREA ACT OF 2000 TO ADJUST THE BOUNDARY OF THE
YUMA CROSSING NATIONAL HERITAGE AREA

NOVEMBER 15, 2005.—Committed to the Committee of the Whole House on the
State of the Union and ordered to be printed

Mr. POMBO, from the Committee on Resources,
submitted the following

R E P O R T

[To accompany H.R. 326]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 326) to amend the Yuma Crossing National Heritage Area Act of 2000 to adjust the boundary of the Yuma Crossing National Heritage Area, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. YUMA CROSSING NATIONAL HERITAGE AREA BOUNDARY ADJUSTMENT.

Section 3(b) of the Yuma Crossing National Heritage Area Act of 2000 (16 U.S.C. 461 note; Public Law 106-319; 114 Stat. 1281) is amended to read as follows:

“(b) BOUNDARIES.—The Heritage Area shall comprise the lands generally depicted on the map entitled ‘Yuma Crossing National Heritage Area Boundary Adjustment’, numbered 903-80071, and dated October 16, 2005.”.

Amend the title so as to read:

A bill to amend the Yuma Crossing National Heritage Area Act of 2000 to adjust the boundary of the Yuma Crossing National Heritage Area and for other purposes.

PURPOSE OF THE BILL

The purpose of H.R. 326 is to amend the Yuma Crossing National Heritage Area Act of 2000 to adjust the boundary of the Yuma Crossing National Heritage Area and to extend the authority of the Secretary of the Interior to provide assistance under that Act.

BACKGROUND AND NEED FOR LEGISLATION

When the Yuma Crossing Heritage Area was authorized in 2000, the public in Yuma County did not understand the scope of the project and was surprised by the size of the designation. Citizens originally believed that the heritage area would focus mainly around the historic districts and the wetlands. Furthermore, many property owners were not aware that they were also included in the new designation. Concerns were raised by citizens about the size of the designation and the potential for additional Federal oversight. The fear of adverse impacts on private property rights were realized when local government agencies began to use the immense heritage area boundary to determine zoning restrictions.

In an effort to alleviate the property rights concerns and better focus the available funds on the historic areas, H.R. 326 adjusts the boundaries to include only those areas where there is greater consensus of perceived public support.

As introduced, H.R. 326 included a provision to extend the authorization of appropriations to the heritage area by five years. Since the current authorization does not expire until 2015, the Committee believes an extension at this time is not necessary, and accordingly deleted that provision from the bill. However, witnesses from the local community had compelling arguments on why an extension may be needed and the Committee would note that its decision on this matter in no way prejudices any action that may be taken on an extension in the future.

COMMITTEE ACTION

H.R. 326 was introduced on January 25, 2005, by Congressman Raul Grijalva (D-AZ). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on National Parks. On September 29, 2005, the Subcommittee held a hearing on the bill. On October 19, 2005 the full Committee on Resources met to consider the bill. The Subcommittee was discharged from further consideration of the bill by unanimous consent. Congressman Stevan Pearce (R-NM) offered an amendment in the nature of a substitute which replaced the boundary description with a map and struck the five year sunset extension. The Pearce amendment was adopted by unanimous consent. The bill, as amended, was ordered favorably to the House of Representatives by unanimous consent.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8, and Article IV, section 3 of the Constitution of the United States grant Congress the authority to enact this bill.

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(3)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

2. Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in tax expenditures. According to the Congressional Budget Office, enactment of this bill would increase offsetting receipts and direct spending, but “any net change in direct spending would be negligible.”

3. General Performance Goals and Objectives. This bill does not authorize funding and therefore, clause 3(c)(4) of rule XIII of the Rules of the House of Representatives does not apply.

4. Congressional Budget Office Cost Estimate. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

H.R. 326—A bill to amend the Yuma Crossing National Heritage Area Act of 2000 to adjust the boundary of the Yuma Crossing National Heritage Area

H.R. 326 would modify the boundary of the Yuma Crossing National Heritage Area in New Mexico to exclude certain private lands. CBO estimates that implementing this bill would have no impact on the Federal budget because the Federal Government is not expected to ever acquire or manage the affected properties.

H.R. 326 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on State, local, or tribal governments.

The CBO staff contact for this estimate is Deborah Reis. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

**SECTION 3 OF THE YUMA CROSSING NATIONAL
HERITAGE AREA ACT OF 2000**

SEC. 3. YUMA CROSSING NATIONAL HERITAGE AREA.

(a) * * *

[(b) BOUNDARIES.—The Heritage Area shall be comprised of those portions of the Yuma region totaling approximately 21 square miles, encompassing over 150 identified historic, geologic, and cultural resources, and bounded—

[(1) on the west, by the Colorado River (including the crossing point of the Army of the West);

[(2) on the east, by Avenue 7E;

[(3) on the north, by the Colorado River; and

[(4) on the south, by the 12th Street alignment.]]

(b) BOUNDARIES.—*The Heritage Area shall comprise the lands generally depicted on the map entitled “Yuma Crossing National Heritage Area Boundary Adjustment”, numbered 903–80071, and dated October 16, 2005.*

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